

REMARKS

Initially, in the Office Action dated June 20, 2003, the Examiner objects to claims 4, 5, and 6 because of informalities. The specification is objected to because of informalities. Claims 1-6 are rejected under 35 U.S.C. §112, second paragraph. Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,832,397 (Yoshida et al.) in view of U.S. Patent No. 6,321,148 (Leung et al.) Claims 3-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida et al. in view of U.S. Patent No. 6,542,506 (Lee).

By this Amendment, claims 1-6 are amended to further clarify the invention. Claims 1-6 remain pending in this application.

Objections to the Claims

Claims 4 and 5 are objected to for informalities. Claim 6 is objected to as being dependent upon an objected to independent claim (claim 5). Applicants submit that claims 4 and 5 have been amended to further clarify the invention and respectfully request that these objections be withdrawn.

Objection to the Specification

The Examiner has objected to the specification asserting that Applicant has not made a statement that the specification does not include new matter. Applicants disagree. On page 3, lines 4 and 5 of the Second Preliminary Amendment filed on September 25, 2001, Applicants stated that "[t]he substitute specification includes the changes as shown in the marked-up copy and includes no new matter." Applicants respectfully request that this objection be withdrawn.

35 U.S.C. §112 Rejections

Claims 1-6 have been rejected under 35 U.S.C. §112, second paragraph. Applicants submit that claims 1-6 have been amended to further clarify the invention and respectfully request that these rejections be withdrawn.

35 U.S.C. §103 Rejections

Claims 1 and 2 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida et al. in view of Leung. Applicants respectfully traverse these rejections.

Yoshida et al. discloses an integrated wiring system for controlling multiple vehicle systems comprising a plurality of terminal control units having different information processing speed and a central control unit. A communications interface is provided in the central control unit in the form of a dedicated programmable input/output processor for performing data communication based on a plurality of communication protocols.

Leung discloses a communication control apparatus and method for controlling communication between a plurality of electronic control units (ECUs) provided in a vehicle and a diagnostic apparatus. Each of the ECUs determines whether it is ready to send a positive response to the diagnostic apparatus within a predetermined response time after receiving a request signal from the diagnostic apparatus. A negative response signal is sent to the diagnostic apparatus by any ECU that is not ready. The negative response signal indicates that the sending ECU is not ready and allows the other ECUs to respond to the diagnostic apparatus. The

diagnostic apparatus sends a further request signal directed specifically to an ECU that sent a negative response signal.

Regarding claims 1 and 2, Applicants submit that neither Yoshida et al. nor Leung, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, a gateway that includes message value change detecting means for detecting the change of a value of the data stored in a memory means, event message sending means for delivering the data stored in the memory means as a message on another message when the message value change detecting means detects a change of the value of the data, or periodical message sending means for delivering periodically the data stored in a memory means as a message on a different network. The Examiner asserts that Yoshida et al. discloses detecting means for detecting the change of value of data stored in a memory means at Fig. 16, col. 7, lines 38-46, and col. 11, lines 1-13, and asserts that register 2115 is a message value change detection means. The Examiner uses impermissible hindsight in reading the limitations in the claims of the present application back into the cited reference by asserting "change in value" is read on "data transmission errors". These are not the same are not related at all in meaning. Data transmission errors may or may not be represented by a change in value. Clearly, if a value was suppose to change and it did not, this may be a data transmission error and there was no change in value.

Moreover, the cited portions of Yoshida et al. do not disclose the means for detecting as recited in the claims of the present application. Initially, a register is a

passive storage device that is either written to or read from. A register does not perform an active function like detection. Therefore, register 2115 is not a means for detecting, as recited in the claims of the present application. Further, the portions cited by the Examiner in Yoshida et al. merely disclose the encoding (Fig. 14) and decoding (Fig. 15) processes where a sawtooth waveform is encoded into a digital pulse, and the digital pulse is decoded back into the sawtooth waveform. This is not a message value change detecting means for detecting the change of the value of data stored in a memory means, as recited in the claims of the present application. As can be seen in Figs. 14 and 15 of Yoshida et al., a change in value is not being detected as the encoding and decoding processes are based on a pulse width of the sawtooth waveform or the pulse width of the digital pulse, respectively.

The Examiner admits that Yoshida et al. does not disclose or suggest event message sending means, as recited in the claims of the present application, but asserts that Leung teaches these limitations in ECU 11, Fig. 2, element 30, and col. 6, lines 27-32. The Examiner further asserts that response from ECU 11 to ECU 12 implies that data is transferred from one network to another. However, Leung relates to controlling communication between a plurality of ECUs and a diagnostic apparatus. As can be seen from Fig. 1 and col. 3, lines 46-51, Leung does not disclose or suggest anything related to receiving a periodic message onto one network and delivering data stored in a memory means as a message on another network, as recited in the claims of the present application. These portions of Leung clearly show that ECU 11 and ECU 12 are connected on the same serial data bus 14

along with vehicle diagnostic apparatus 20. This is not event message sending means for delivering data stored in a memory means as a message on another network when the message value change detecting means detects a change of the value of the data, as recited in the claims of the present application. Moreover, ECU 11 and ECU 12 function in a master/slave relationship (see col. 3, lines 56-61) and can hardly be considered as belonging in different networks.

Accordingly, Applicants submit that neither Yoshida et al. nor Leung, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1 and 2 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 3-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida et al. in view of Lee. Applicants respectfully traverse these rejections.

Lee discloses transferring data between networks that includes storing a connection path set between predetermined data from a first network and a predetermined address in a second network during initial connection between the first and second networks, and transferring the predetermined data from the first network along the stored path. Accordingly, the data transmission data speed is faster by pre-mapping a data path between networks, and hardware and software loads on the gateway for repeating data between networks can be reduced.

Regarding claims 3 and 5, Applicants submit that neither Yoshida et al. nor Lee, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, message value change detection means for detecting the change of a value of data included in a message stored in a memory means, or event message sending means for delivering a produced message to a network, or detecting a change of value of data included in a memorized part of a message, or delivering a produced message to a second network. As noted previously, Yoshida et al. does not disclose or suggest these limitations in the claims of the present application. Moreover, Lee relates to pre-mapping a data path between networks to increase data transmission speed. Lee does not overcome the substantial defects noted previously regarding Yoshida et al. Moreover, Applicants submit that there would be no motivation for one skilled in the art to combine Yoshida et al. and Lee in an attempt to achieve the claimed invention. As noted previously, ECU 11 and ECU 12 in Yoshida et al. operate in a master/slave capacity on the same serial bus. This operation would be very inefficient if ECU 11 and ECU 12 were on separate networks. The Examiner recites benefits of having a gateway in Lee as it relates to Lee but offers no benefits for a combination with Yoshida et al. As noted, these benefits would have no use in the invention of Yoshida et al.

Regarding claims 4 and 6, Applicants submit that these claims are dependent on one of independent claims 3 and 5 respectively, and, therefore, are patentable at least for the same reasons noted regarding these independent claims.

Accordingly, Applicants submit that neither Yoshida et al. nor Lee, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 3-6 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-6 are now in condition allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 503.39781X00).

Respectfully submitted,

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